

Sierra Club Proposed Schedule for Air Quality Board Proceedings on Unit 3 and SPC Permit Appeals

Unit 3 Appeal

Board considers scheduling proposal, sets schedule, issues Notice of Requests for Agency Action if necessary	January 3, 2007 Board Meeting
DAQ Responses to Amended Request for Agency Action (Unit 3) and Request for Agency Action (SPC)	30 days after Board issues Notice
Renewal of Petitions to Intervene	At January 3, 2007 Board Meeting
Index of Administrative Record and Production of Indexed Copy of Administrative Record	January 31, 2007
Hearing and Decision on Petitions to Intervene in Unit 3 Proceeding NOTE: if proceedings are to be sequential for the two permits, SPC would intervene in the IPSC appeal for those issues that have common issues of law	February 7, 2007 Board Meeting
First date to file dispositive motions in Unit 3 appeal (at least 10 days after Administrative Record produced)	February 9, 2007
Last date to file motions for hearing at April Meeting	February 28, 2007
Response to dispositive motions due	March 20, 2007 or 20 days after service
Motion hearing on dispositive motions	April 4, 2007 Board Meeting
Board decision on dispositive motions	April 2007
Requests for Production of Documents Due	April 30, 2007 or 30 days after Board decision on dispositive motions
Interrogatories and Requests for Admission Due	April 30, 2007 or 30 days after Board decision on dispositive motions, subject to being supplemented
Responses to Requests for Production of Documents Due	May 30, 2007 or 30 days after service
Responses to Interrogatories and Reqs for Admission	May 30, 2007 or 30 days after service, subject to being supplemented
Hearings on motions to compel discovery, if necessary, and non-expert depositions	June and July 2007
Close of Fact Discovery	July 31, 2007
Identify Expert Witnesses	July 31, 2007
Submit Expert Reports	August 30, 2007
Supplemental expert reports	September 15, 2007
Expert depositions	September and October 2007
Close of Discovery	October 31, 2007
Post-discovery dispositive motions due	November 22, 2007
Responses to post-discovery dispositive motions due	December 17, 2007
Motion hearing on dispositive motions	January 2, 2008 Board Meeting
Board decision on dispositive motions	January 2008
Pre-hearing briefs for formal hearing on the merits	February 22, 2008
Formal hearing on the Merits	March 5, 6, 7 & 8, 2008
Board decision and Order	March or April 2008
Request for Reconsideration or Appeal to courts	Pursuant to rules

SPC Appeal

Requests for Production of Documents, Interrogatories, Requests for Admission	March 31, 2008 (or 30 days after Board decision in Unit 3 appeal)
Identify Expert Witnesses	April 30, 2008
Responses to Requests for Production of Documents, Interrogatories, Requests for Admission	April 30, 2008
Non-expert depositions	May 2008

Fact discovery closes	May 31, 2008
Expert reports due	June 30, 2008
Expert depositions	July 2008
Close of Discovery	July 15, 2008
<i>Post-discovery dispositive motions due*</i>	<i>August 8, 2008</i>
<i>Responses to post-discovery dispositive motions due*</i>	<i>August 28, 2008</i>
<i>Motion hearing on dispositive motions*</i>	<i>September 3, 2008 Board Meeting</i>
<i>Board decision on dispositive motions*</i>	<i>September 2008</i>
Pre-hearing briefs for formal hearing on the merits	October 25, 2008 (OR August 22, 2008)
Formal hearing on the Merits	November 5, 6 & 7, 2008 (OR September 3, 4 & 5, 2008)
Board decision and Order	November or December 2008 (OR September or October 2008)
Request for Reconsideration or Appeal to courts	Pursuant to rules

** if no post-discovery dispositive motions, then proceed to alternate dates for pre-hearing briefing and formal hearing indicated on schedule*